

08-19-04

IFW

S/N 10/663,087

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Sam Zellner	Examiner:	N/A
Serial No.:	10/663,087	Group Art Unit:	2661
Filed:	September 16, 2003	Docket No.:	60027.0365US11
Title:	Associated Systems and Methods for Providing Data Services Using Idle Cell Resources		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 509656044 US  
Date of Deposit: August 18, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:   
Name: Jodi L. Hartman

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed January 21, 1999.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the International Search Report. Applicant(s) note(s) reference(s) EP 0 370 826, 5,574,977, EP 0 717 579, WO 97 11566 and 5,513,242 also listed in the search report was/were previously cited to or by the Examiner.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to

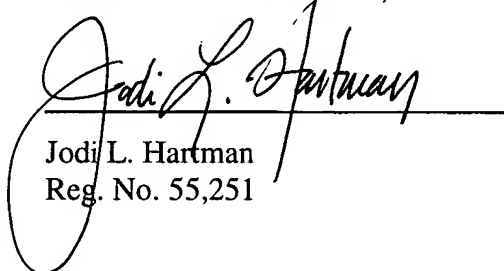
establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

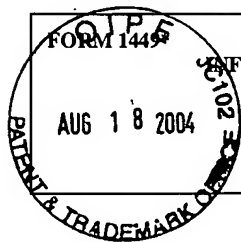
MERCHANT & GOULD, LLC

A handwritten signature in cursive script, reading "Jodi L. Hartman", is written over a horizontal line. The signature is fluid and stylized, with the first letters of each word being capitalized and prominent.

Jodi L. Hartman  
Reg. No. 55,251

Merchant & Gould  
P.O. Box 2903  
Minneapolis, Minnesota 55402-9946  
Telephone: 404.954.5100





## INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

60027.365US11

Application Number:

10/663,089

Applicant: ZELLNER

Filing Date: 09/16/2003

Group Art Unit: 2661

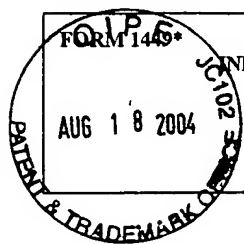
## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,803,679	02/1989	Shimizu			
	5,157,709	10/1992	Ohteru			
	5,226,071	07/1993	Bolliger et al.			
	5,457,735	10/1995	Erickson			
	5,539,729	07/1996	Bodnar			
	5,539,923	07/1996	Matsumoto			
	5,570,411	10/1996	Sicher			
	5,615,249	03/1997	Solondz			
	5,678,179	07/1998	Turcotte et al.			
	5,708,968	01/1998	Suzuki			
	5,752,193	05/1998	Scholefield et al.			
	5,787,080	07/28/1998	Hulyalkar et al.			
	5,787,358	07/1998	Takahashi			
	5,790,522	08/1998	Fichou et al.			
	5,812,656	09/1998	Garland et al.			
	5,832,384	11/1998	Balachandran et al.			
	5,857,018	01/1999	Sumner et al.			
	5,862,485	01/1999	Linnewed, Jr. et al.			
	5,867,790	02/1999	Hamada			
	5,930,239	07/1999	Turcotte			
	6,009,331	12/1999	Ueda			
	6,026,289	02/2000	Zellner et al.			
	6,069,882	05/2000	Zellner et al.			
	6,091,709	07/2000	Harrison et al.			
	6,101,389	08/2000	Koizumi et al.			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.



## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

60027.365US11

Application Number:

10/663,089

Applicant: ZELLNER

Filing Date: 09/16/2003

Group Art Unit: 2661

	6,175,621	01/2001	Begeja			
	6,192,248	02/2001	Solondz			
	6,201,966	03/2001	Rinne et al.			
	6,226,277	05/2001	Chuah			
	6,282,429	08/2001	Baiyor et al.			
	6,321,093	11/2001	Dalal			
	6,327,364	12/2001	Shaffer et al.			
	6,335,922	01/2002	Tiedemann, Jr. et al.			
	6,377,548	04/2002	Chuah			
	6,421,335	07/2002	Kilkki et al.			
	6,434,380	08/2002	Andersson et al.			
	6,470,024	10/2002	Hamalainen et al.			
	6,519,260	02/2003	Galyas et al.			
	6,522,653	02/2003	Kilkki			
	6,549,938	04/2003	Kilkki et al.			
	6,567,416	05/2003	Chuah			
	6,587,433	07/2003	Borella et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO


## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Data Communications (Tech Tutorials) "Going the Distance with QOS," Mike Seaman and Bob Klessig, 3Com Corp., February 1999
		Data Communications (Tech Tutorials) "Serving Up QOS End to End," Marguerite Reardon, November 21, 1998
		Data Communications (Tech Tutorials) "The Policy Makers," Stephen Saunders, May 1999
		International Search Report issued by the European Patent Office in PCT/US98/15568, in the name of BellSouth Corporation, mailed 1/21/1999

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

<b>FORM 1449*</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 60027.365US11	Application Number: 10/663,089
	Applicant: ZELLNER	
	Filing Date: 09/16/2003	Group Art Unit: 2661

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Office Action issued by the USPTO having Serial No. 09/559,594 on February 24, 2004 (13 pages)
		Office Action issued by the USPTO having Serial No. 09/559,594 on September 5, 2003 (16 pages)
		Office Action issued by the USPTO having Serial No. 09/922,042 on December 8, 2003 (11 pages)
		Office Action issued by the USPTO having Serial No. 09/922,042 on May 8, 2003 (10 pages)
		Office Action issued by the USPTO having Serial No. 09/922,042 on October 25, 2002 (7 pages)
		Office Action issued by the USPTO having Serial No. 09/579,000 on February 5, 2001 (10 pages)
		Office Action issued by the USPTO having Serial No. 09/559,593 on February 17, 2004 (13 pages)
		Office Action issued by the USPTO having Serial No. 09/559,593 on September 4, 2003 (15 pages)

**39262**

PATENT TRADEMARK OFFICE

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